

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

DINÉ CITIZENS AGAINST RUINING OUR	)	
ENVIRONMENT, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Case No. 1:19-cv-00703-WJ-JFR
	)	
v.	)	
	)	
DAVID BERNHARDT,	)	
in his official capacity as Secretary of	)	
the Interior, <i>et al.</i> ,	)	
	)	
Federal Defendants.	)	
	)	

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**JOINT CASE MANAGEMENT PLAN**

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In accordance with this Court's Order Lifting Stay and Adopting Deadlines As Set Forth in the Parties' Joint Status Report, ECF No. 94, the Parties submit this Joint Case Management Plan setting forth the following proposed schedule for further proceedings in this matter.

1. On or before July 1, 2020, Federal Defendants shall lodge the administrative record with the Court's Chambers and serve the administrative record on the parties. Due to the anticipated size of the administrative record, Federal Defendants may produce the record to the Court and parties on a USB drive.

2. On or before July 22, 2020, Plaintiff and Intervenor Defendants shall advise Federal Defendants in writing of any objections to the administrative record. The Parties shall work to resolve any such record objections out of Court prior to filing any motions to complete the administrative record or for extra-record review.

3. If the Parties are unable to resolve any record objections out of Court, the Parties propose the following schedule for motions related to the completeness of the administrative record or for extra-record review:

Any motions to complete the administrative record or for extra-record review shall be filed on or before August 12, 2020. Any disputes regarding the scope or content of the administrative record not raised during consultation of the Parties and by motion by this deadline will be deemed to have been waived.

Responses to any such motions shall be filed on or before September 2, 2020.

Replies shall be filed on or before September 16, 2020.

4. If any motions to complete the administrative record or for extra-record review are filed, the schedule for merits briefing set forth below shall be of no effect. In such case, the Parties will submit an alternative merits briefing schedule within 14 days of the Court's resolution of the motion(s) to complete the administrative record or for extra-record review.

5. If no motions to complete the administrative record or for extra-record review are filed, briefing on the merits shall proceed on the following schedule:

Federal Defendants shall lodge the amended administrative record, if any, with the Court's Chambers and shall serve it on the Parties by August 19, 2020. Due to the anticipated size of the administrative record, Federal Defendants may produce the record to the Court and parties on a USB drive.

Plaintiff shall file its Motion for Review of Agency Action and supporting brief on or before September 16, 2020.

Federal Defendants shall file their responding brief on or before October 14, 2020.

Intervenor Defendants shall file their responding briefs on or before October 23, 2020.

Plaintiff shall file its reply brief on or before November 13, 2020.

6. In accordance with *Olenhouse*, the length of the Parties' briefs on the merits shall be consistent with Federal Rule of Appellate Procedure 32(a)(7); except that Plaintiffs shall be permitted to file a single consolidated reply brief of up to 13,000 words.

Respectfully submitted this 1st day of June, 2020.

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2020, I filed the foregoing pleading electronically through the CM/ECF system which caused all parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

/s/ Clare Boronow

Clare Boronow

Counsel for Federal Defendants